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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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|-------------------------------------------------------------------------------------|----------------------|------------------------|-----------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/008,613 | |
| | Filing Date | Nov 8, 2001 | |
| | First Named Inventor | Pierce | |
| | Group Art Unit | | |
| | Examiner Name | | |
| Total Number of Pages in This Submission | 4 | Attorney Docket Number | RSM014001 |

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| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--------------------------------------------|-------------------------|
| Firm or Individual name | Richard A. Dunning, Jr. |
| Signature | |
| Date | 8/1/02 |

| CERTIFICATE OF MAILING | | | |
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| Type or printed name | Richard A. Dunning, Jr. | | |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Pierce et al.
Serial No. : 10/008,613
Filed : 11/8/2001
Title : SERVICES BASED ON POSITION LOCATION USING BROADCAST
DIGITAL TELEVISION SIGNALS

Art Unit :
Examiner :

Commissioner for Patents
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97-98

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is a modified form PTO-1449 listing documents for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of documents, or that inclusion of a document in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months from the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

8/1/02
Date of Deposit

Signature

Richard A. Dunning, Jr.

Typed or Printed Name of Person Signing Certificate

- ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
 - ☐ attached hereto is the fee set forth under 37 CFR § 1.17 (p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☒ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. 09/887,158, filed on June 21, 2001, and the documents cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

Applicant : Pierce
Serial No. : 10/008,613
Filed : 11/8/2001

Attorney's Docket No.: RSM014001

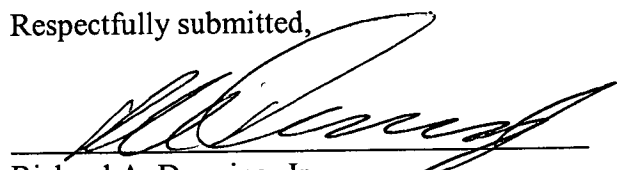
Page: 3

- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.
Consideration of the listed documents and favorable action are respectfully requested.

Date: _____

8/1/02
Law Office of Richard A. Dunning, Jr.
325M Sharon Park Drive
Suite 208
Menlo Park, CA 94025
Telephone: 650.234.1054
Facsimile: 413.541.0092

Respectfully submitted,



Richard A. Dunning, Jr.
Attorney/Agent for Applicant(s)
Reg. No. 42502

A circular black ink stamp from the Office of Patent & Trademark. The text "OIPET" is curved along the top inner edge, and "PATENT & TRADEMARK OFFICE" is curved along the bottom inner edge. In the center, the date "AUG 05 2002" is stamped. A rectangular box is drawn over the right side of the stamp, partially obscuring the text "OFFICE".

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

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Complete if Known

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| Application Number | 10/008,613 |
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| Filing Date | 11/8/2001 |
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| First Named Inventor | Pierce et al. |
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Group Art Unit

Examiner Name

| | |
|------------------------|-----------|
| Attorney Docket Number | RSM014001 |
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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**Examiner
Signature**

/Timothy Newlin/

Date
Considered

06/20/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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